

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Date: February 15, 2007

Kevin S. BEYER et al.

Confirmation No: 7077

Serial No: 10/788,556

Group Art Unit: 2163

Filed: February 27, 2004

Examiner: Helene Roberta Rose

For: ASYNCHRONOUS PEER-TO-PEER DATA REPLICATION

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

NOTICE OF APPEAL UNDER 37 CFR §41.31

Sir:

In the Final Office Action dated September 29, 2006, and in the Advisory Action dated February 5, 2007, the Examiner rejected Claims 1-47 and 50-88. In response, Applicant hereby appeals to the Board the decision of the Primary Examiner. An Appellant's Brief will be filed within two months from the date of this notice.

The Commissioner is hereby authorized to charge the amount of **\$500.00** for payment of the Notice of Appeal filing fee to Deposit Account No. 09-0460 (IBM Corporation). The Commissioner is also authorized to charge any additional fees required by this communication to Deposit Account 09-0460 (IBM Corporation).

If any unresolved issues remain, please contact Applicant's attorney at the telephone number indicated below.

Respectfully submitted,
SAWYER LAW GROUP LLP



February 15, 2007

Date

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